

Report from The National Battlefields Commission

QUEBEC, December 12, 1910.

To His Excellency The Governor in Council

The National Battlefields Commission was constituted by the Statute 7-8 Edward VII., Chapter 57, for the purpose of acquiring and preserving the great historic battlefields at Quebec and for the management and control subject to the provisions of the Act, of the lands to be vested in or acquired by the Commission for this purpose, and of the moneys appropriated by the Parliament of Canada and of the generous contributions which it was anticipated would be made by the various Provincial governments, as well as by municipal or other bodies, and by many private individuals.

Section 6 of this Act gave to the Commission the powers of expropriation of a railway company under the Railway Act. This was subsequently modified by the Act 9-10 Edward VII., chapter 41, which substitutes the powers under the Expropriation Act for those under the Railway Act.

Section 9 of the Act authorizes the Governor in Council to appropriate for the purposes of the Commission all the land or immovable property now vested in His Majesty for the military or other public purposes of Canada and forming part of the aforesaid battlefields.

Section 10 of the Act provides that no land or immovable property shall be purchased or acquired by the Commission except with the previous authority of Parliament and by a subsequent Act (7-8 Edw. VII., chap. 58), the sanction of Parliament was given to the acquisition subject to the approval of the Governor in Council of certain lands and immovable property set forth in a schedule forming part of the said Act.

Section 8, of the original Act (7-8 Edw. VII., chap. 57), granted a sum of three hundred thousand dollars out of the Consolidated Revenue Fund of Canada for the purposes authorized by the Act and Section 16 empowered the Commission to arrange for and carry out a celebration in every respect worthy and fit, of the founding of Quebec by Samuel de Champlain and the dedication of the battlefields to the general public purposes of Canada. The Commission was further authorized by the said Section 16, to expend and lay out, for the purposes of the said celebration, such portion of the said sum of three hundred thousand dollars therein before appropriated as the Commission might authorize, subject to the sanction and approval of the Governor in Council.

Quebec Tercentenary Celebration.

The Quebec Tercentenary Celebration was organized and carried out in a way which was meant to be worthy of the occasion and of Canada and the

I GEORGE V., A. 1911

Commission believe that the general verdict was that this end had been attained.

The celebration was made memorable by the presence of H. R. H. the Prince of Wales, now His Most Gracious Majesty King George V., as personal representative of our beloved Sovereign, the late King, it derived a world wide interest from the presence of special missions from the Governments of France and the United States, of representatives from the self governing Dominions of the Empire, of the fleets of three nations, of a special representative of the British Army in the person of Field Marshall the Earl Roberts, V. C., K. G., of descendants of Wolfe, Montcalm, Levis, Murray, Fraser, Guy Carleton, Elgin, of the Mayor of Brouage, the birthplace of Champlain, and of many other distinguished personages from abroad, as well as by the gathering in Quebec of the greater number of the men of note in Canada.

The scope given to the celebration necessarily entailed heavy expenditure, of which account was rendered in due course to the Minister of Finance, as called for by Section 12 of the Act, but the Commission is pleased to say that it was kept within the limits of the grant of \$300,000 made by the Act, the balance left over being \$8,709.97, out of which there still remains to be paid two amounts which will not exceed \$6,700, leaving a net balance of about \$2,000.

Subscriptions to the Battlefields Fund.

The subscriptions received for the Battlefields fund amount to \$488,251.34 and include contributions from all over the British Empire. Governments, municipalities, other corporations and individuals of all classes and conditions responded generously to the action of Parliament in creating this Commission and undertaking the preservation and maintenance of the battlefields of Quebec as a national work.

The Provinces of the Dominion contributed the following amounts:

Ontario	\$ 100,000
Quebec	100,000
Nova Scotia	10,000
New Brunswick	7,500
Manitoba	10,000
British Columbia	10,000
Prince Edward Island	2,500
Alberta	10,000
Saskatchewan	10,000

The Governments of Ontario and Quebec were entitled under Section 1, Sub-section 2, of the Act to appoint one commissioner each and the Honourable J. S. Hendrie, C. V. C., was appointed by the Government of Ontario, and the Honourable L. A. Taschereau by the Government of Quebec.

Quebec Battlefields Park.

After acquiring some of the lands required for the Park, when the necessity arose to resort to expropriation in some instances, it was found that the powers conferred under "The Railway Act" would be very difficult to apply and might expose the Commission to costly and uncertain litigation. This necessitated the postponement of the negotiations then under way and

SESSIONAL PAPER NO. 58A.

an application to Parliament to have the Act amended. This was done by the Act 9-10 Edward VII., chapter 41, which as already stated substituted the powers and procedure under "The Expropriation Act" for those under "The Railway Act." This Act was assented to on the 4th of May, 1910. Since then the Commission has proceeded, as fast as circumstances, and the passing of the necessary orders in council would allow.

The projected Park which is to cover an area of some two hundred and twenty (220) acres and to extend from the St. Louis Gate on Grande Allee, near the Citadel, to and including the "Monument Field" where is erected the "*Monument des Braves*," on the Ste. Foy Road, will comprise the following

1. The greater part of the "Cove Fields," about .....	..... 63 acres.
2. The Greater part of the "Seminary Farm," including Lot No. 4440-156, about .....	..... 27 acres
3. The greater part of the Quebec Jail and Observatory grounds including streets and a few small plots of land, about.....	34 acres
4. The whole of the "Plains of Abraham," about .....	..... 75 acres
5. Part of the Merici Property, about .....	..... 4 acres
6. Strips of land along Gilmour's Hill and other roadways, about 5 acres
7. The greater part of the "Monument Field, about 12 acres
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Total, about 222 acres

The Commission has caused a plan to be worked out for this Park by the well known landscape architect, Mr. Frederick G. Todd, of Montreal, which plan though not definitely adopted in all its details by this Commission is practically so in its general outlines.

The Commission desires to explain how matters stand with reference to the different sections of the ground to be absorbed by the future Park.

Cove Fields.

These grounds are at present used in park for military purposes, and the Commission did not feel justified in accepting their transfer subject to the extensive reservations suggested by the Department of Militia and Defence.

An interview took place here on the 12th of July last between Colonel Fiset, Deputy Minister of Militia, accompanied by Colonel Pelltier, D. O. C., and two of the members of this Commission, the Chairman and the Honourable Mr. Turgeon, with reference to these grounds, and the Commissioners pointed out to the Deputy Minister of Militia the absolute necessity of removing the Laboratory and Fulminate Buildings and also the Rifle Range from these premises to some other site outside of the limits of the proposed Park as otherwise the plan outlined and approved, on which subscriptions had been collected throughout Canada and the Empire, could not be carried out.

Two main driveways will have to be laid out, one along the northern limit of the Park, from the City walls to the western extremity of the Plains of Abraham, traversing some of the most important points of the battlefields, and the other along the slope of the cliff overlooking the St. Lawrence, affording a view of the river and coves which were the scene of Wolfe's landing and final operations. This avenue is important from both

the historical and scenic point of view, but it cannot be properly carried out unless a right of way for the avenue is secured through part of the land leased to the Ross Rifle Company, as shown in red on the annexed plan. This avenue, however, would not interfere with any of the buildings of the Company, being located far below them on the slope of the hill and on ground which is not utilized by the Company. The Commission hopes that a satisfactory agreement may be arrived at whereby this important part of the Park plans may be carried out.

Seminary Farm.

This property is situated between the Cove Fields and the Observatory Property and it was necessary to acquire for the Park the portion of land separating the two government properties, a total superficies of 1,276,180 square feet, of this, the part belonging to the Quebec Seminary, 1,175,716 square feet in area was purchased for the price of one hundred and twenty-nine thousand one hundred and thirty-seven dollars (\$129,137.00), which may be considered as very favourable terms.

The Commission offered twenty-six cents (\$.26) per square foot for a plot of about 100,000 square feet, belonging to the Rev'd Dominican Brothers, which constitutes the balance of the land required on the Seminary Farm. This offer was refused and this plot will therefore have to be expropriated.

As the name 'Seminary Farm' applied to this property might be misleading, the Commission desires to point out that this land had been subdivided into building lots in 1902 and the part purchased by the Dominican Brothers (in 1907) was to have been built upon in the near future, which would no doubt have resulted in the sale of the other lots.

Quebec Jail and Observatory Grounds.

Negotiations were entered into between the Commission and the Quebec Government with regard to the transfer, by the latter to the former, of the greater part of these grounds, and the Commission is happy to report that the transfer by the Government of the Province of Quebec of the Jail Property is now agreed upon, subject to the Government's rights to maintain the Jail thereon until such time as it may find suitable to remove it.

As to the parcel of land situated between the Jail Property and the land acquired by the Commission from the Seminary, which is commonly designated as the Observatory Property, it would appear that the respective rights of the Federal and Provincial Governments in this property are not clearly defined, and the Commission recommends that the two Governments abandon to it such rights and interests as they may respectively hold in the said property, and that the Commission be authorized to assume the payment of the ground rents affecting these properties and which have been paid so far by the Provincial Government, deducting a proportion of the said ground rent for the ground reserved by the Quebec Government for the purposes of the Jail.

The Commission is enabled to state that the Quebec Government has already intimated its readiness to abandon such rights as it may possess in the Observatory Property, and it also desires to point out that a reservation might be made for the plot of ground, of about 62,500 square feet (250 feet square), necessary for the Observatory Building and annexes, as there

SESSIONAL PAPER NO. 58A.

can be no objection to the Observatory remaining within the limits of the Park.

Plains of Abraham.

The grounds generally designated as "The Plains of Abraham," lying to the south-west of the Jail Property were ceded to this Commission by the City of Quebec on July 22nd, 1908. They extend from the cliff to the St. Louis Road and westerly to the "Merici Property," belonging to the Ursuline Nuns, and cover an area of about 75 acres.

Merici Property.

Adjoining the Plains of Abraham to the west lies the Merici Property (previously known as "Marchmont"), belonging to the Ursuline Nuns. The part of this property skirting the brow of the cliff overlooking the St. Lawrence, commands a general view of Wolfe's Cove and was the site of the French outpost stationed there to watch over the movements of Saundier's fleet and prevent a landing. It will be necessary to purchase a strip of this land, of varying width and covering about four (4) acres in superficies, both for its historical value and scenic beauty and also to reach Gilmour's Hill, near the head of the ravine which was escaladed by Wolfe's army.

The valuators employed by the Commission did not agree on the price for this land and no offers have as yet been made towards its purchase.

Strips of Land Along Gilmour's Hill and Other Roadways.

No steps have as yet been taken to acquire these strips, as changes may be advisable in connection with this part of the project, principally with regard to the Belvedere Road, which in the opinion of the Commission should be abandoned as far as the Park is concerned, owing to the laying of water and drainage pipes under that road which would be a constant source of trouble and expense in the maintenance of a park avenue. Moreover, the Commission is of the opinion that it would greatly improve the general scheme of the work if, instead of utilizing the existing Belvedere Road, a new avenue was opened out from St. Louis Road to the Monument Field, in line with the "Monument des Braves." Full advantage would thus be taken of this handsome monument, which would then become an important and striking feature of the Park.

The Commission has opened negotiations with the municipal authorities of the Town of Montcalm, wherein the proposed new avenue would be situated, to obtain from them the land required, subject to the construction and maintenance of the avenue by the Commission.

Ste. Foy Monument Field.

This ground was the scene of some of the most stirring episodes of the second battle of the Plains, between the armies of Levis and Murray, and on it is erected the "Monument des Braves," or Ste. Foy Monument. It is subdivided into building lots and some houses had already been erected upon it before the Quebec Battlefields Park had been projected.

I GEORGE V., A. 1911

The following properties have been purchased by the Commission in this section at prices authorized by orders in council:

From Whom Bought	Area in Sq. Feet.	Rate per Sq. Foot.	Price
Sir George Garneau, who purchased the property (lot and house thereon) for the Commission from Jos. Cauchon (Order in Council, Dec. 3rd, 1908,)	13,065	not specified	\$ 7,846 55
Joseph Robitaille, fils	10,740	\$ 0.077	826 98
Joseph Robitaille, fils	2,280	0.132	300 96
Joseph Robitaille	2,400	0.1325	318 00
Joseph Robitaille	2,280	0.132	300 96
Theodore Lagace	2,520	0.132	332 64
Joseph Robitaille	House	.	2,500 00
Theodore Lagace	House	.	2,200 00
Total.....	....	....	14,626 09
Deducting the amount obtained for the material of the Cauchon house, now demolished .....	....	....	380 00
Actual cost of the above properties.....	....	....	14,626 09

The houses bought from Robitaille and Lagace, which, by the consent of the Commission, may be occupied by their late proprietors till the first of May next, are to be demolished after that date.

Offers were made by the Commission for the purchase of the other lots of land on this Monument Field, but were refused, and proceedings for their expropriation are being taken.

"Monument des Braves."

The "Monument des Braves," erected to the memory of Levis and Murray, and the brave men who fought under them at the Battle of Ste. Foy (28th of April, 1760), and the plot of land upon which it is erected are now the property of this Commission, they having been transferred to the latter by the Quebec Government for the nominal sum of one dollar.

Immediate repairs will have to be made to this Monument for its preservation, which repairs, according to an architect's valuation, are estimated at about five hundred dollars (\$500.)

No. 4 Martello Tower.

The Government of Canada, having acquired from the Nuns of the Hotel Dieu du Precieux Sang, the land whereon Martello Tower No. 4 is erected, subject to the condition that the title to the property is good only until such time as the tower thereon erected shall have been demolished, the said Martello Tower, together with the land on which it is erected, were conveyed to the National Battlefields Commission by Order in Council of the 22nd of May, 1909, (P. C., 1095) and letters-patent based thereon, with

SESSIONAL PAPER NO. 58A.

the express stipulation that it is a condition of the grant that the said Martello Tower be maintained and preserved in good order and condition to the satisfaction of the Minister of Militia and Defence of Canada, and that, should there be default on the part of the grantee in so maintaining and preserving the said Tower, the transfer should thereupon become null and void and the said property revert to the Crown.

The Commission has had a careful examination of the Tower made by a competent architect, who reports that its repairs and restoration will cost about six thousand dollars (\$6000.)

The land on the east and west of the Tower and up to its walls belongs to private parties but is not built over. If the Tower is to be preserved it is necessary to acquire the adjoining lots on both sides. This would probably cost about \$1200, but the purchase of this ground is not provided for by any of the Statutes of Canada respecting the National Battlefields. The Commission therefore recommends that an act of Parliament be passed to empower it to acquire this land, subject to the approval of the Governor in Council as to the price. The Commission further recommends that suitable provision be made for the expenditure required for the restoration and maintenance of the Tower.

Disposal of the Available Funds and Probable Cost of the Works for the Park.

The Commission ventures to draw the attention of the Government to the fact that the funds now at its disposal (about \$340,000) are to be used solely for the acquirement of the lands necessary for the Battlefields Park, as these funds were subscribed, from all parts of the British Empire, and are now held in trust by this Commission for that special object, with the exception, however, of the moneys subscribed in England, which it is understood are to be applied towards the erection of a monument in the Battlefields Park. It is therefore expected that the Parliament of Canada will provide the funds necessary for the converting of the said grounds into a National Park, as well as for the proper administration of this public service.

The estimates that can be based on the preliminary plans are, by their very nature, only approximate, and the extent of the work must be controlled largely by the appropriation that Parliament is willing to make. But, in the opinion of the Commission, such provision, apart from annual cost of maintenance, should be not less than two hundred thousand dollars.

In carrying out the work, the Commission is of the opinion that the avenues should be made with great care and in the best manner possible, so as to minimize the cost of maintenance and repairs. This will mean an increased initial outlay which, however, would be recouped by the decrease in expenses of maintenance.

The Commission desires to inquire whether the Government will provide every year, upon an estimate furnished by the Commission, for the works to be carried out that year and for the maintenance of the Park after its completion, or whether the Government intends to place every year at the disposal of the Commission, a certain fixed amount for the execution of the Park till completed and another fixed sum for the proper maintenance of the same.

Expenses of Administration.

The Commission prays that an amount of \$8500 be placed in the estimates to provide for the expenses of administration, as follows:

I GEORGE V., A. 1911

Rent, heating, lighting, telephone and care of the Commission's office, No. 2, Cook Street Quebec.....	\$ 1,000
Actual disbursements of Commissioners and staff for traveling expenses.....	1,600
Office supplies, including postage.....	200
Legal expenses, including registration and notarial fees	1,500
Salaries:	
Secretary, Mr. C. E. Gauvin.....	2,500
Clerk and Messenger	900
Contingent and unforeseen expenses.....	800
Total	\$ 8,500

Conclusions.

In order that there be no delay in proceeding with the work next spring the Commission respectfully prays:

1. That measures be taken by the Government to remove the existing "danger buildings" and rifle range from the Cove Fields and to transfer the said Cove Fields to the commission.
 2. That the Government of Canada abandon, in favour of this Commission, such rights and interests as it may hold in the property commonly designated as "The Observatory Ground," subject to the necessary reservation for the Observatory Buildings, and that the Commission be authorized to assume the payment of the ground rent affecting this property or whatever portion of same which may be conveyed to this Commission by the Government of Canada or by the Government of the Province of Quebec for the purposes of the Park.
 3. That authority be given to this Commission to acquire and hold the lands which may be transferred to it by the Government of the Province of Quebec for the purposes of the Park and to assume the payment of the ground rents affecting the lands thus transferred.
 4. That authority be given to the Commission to acquire certain lots of land adjoining No. 4 Martello Tower, which lots respectively bear numbers 3755-188, 3755-189 and 3755-191 of the official cadastre of St. John's Ward of the City of Quebec, and also whatever portion of the cadastral lots numbers 3755-176, 3755-177, 3755-178 and 3755-179, on the south-east side of Ste. Cecile Street, with the buildings erected thereon, as this Commission may think advisable to purchase so as to give free and ample access to this Tower and to insure in the largest possible manner its protection against fire.
 5. That the Commission be authorized to expend such sums as may be necessary to restore, maintain and preserve No. 4 Martello Tower.
 6. That the moneys necessary to carry out the various recommendations contained in this report be granted to the Commission.
- The whole respectfully submitted,

(Sgd.)

CHS. ED. GAUVIN,
Secretary

(Sgd.)

J. GEO. GARNEAU,
Chairman.

(SEAL)